



UNITED STATES BANKRUPTCY COURT
District of New Jersey

Albert Russo
CN 4853
Trenton, NJ 08650
(609) 587-6888
Standing Chapter 13 Trustee

Order Filed on April 10, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

John Kelly
Peggy A. Kelly

Debtor(s)

Case No.: 18-28974 / MBK

Chapter: 13

Hearing Date: April 9, 2019

Judge: Michael B. Kaplan

CHAPTER 13 STANDING TRUSTEE PRE-CONFIRMATION ORDER OF DISMISSAL

The relief set forth on the following page is **ORDERED**.

DATED: April 10, 2019

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

The Court having determined that dismissal of this case is appropriate, it is hereby

ORDERED that the debtor's case is dismissed for:

- failure to file a feasible plan, income and/or budget statement
- failure to resolve Trustee and/or creditor objection

and it is further

ORDERED that:

Pursuant to 11 U.S.C. § 349(b), this court for cause retains jurisdiction over any application filed within 14 days of the date of this order by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

The Chapter 13 Standing Trustee may pay the balance of the standard attorney fees to the debtor's counsel in the amount of \$1302.00 from available funds on hand received prior to dismissal.

Any funds held by the Chapter 13 Standing Trustee from payments made on account of the debtor's plan shall be disbursed to the debtor, less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan, or by Court order.

Any *Order to Employer to Pay the Chapter 13 Trustee* that has been entered in this case is vacated, and the employer is ordered to cease wage withholding immediately.

All outstanding fees due to the Court are due and owing and must be paid within 7 days of the date of this order.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 John Kelly
 Peggy A. Kelly
 Debtors

Case No. 18-28974-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Apr 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 12, 2019.

db/jdb John Kelly, Peggy A. Kelly, 519 Alfred Rd, Toms River, NJ 08757-5550

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 12, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 10, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Daniel E. Straffi on behalf of Joint Debtor Peggy A. Kelly bkclient@straffilaw.com,
 G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
 Daniel E. Straffi on behalf of Debtor John Kelly bkclient@straffilaw.com,
 G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
 Denise E. Carlon on behalf of Creditor Kubota Credit Corporation dcarlon@kmllawgroup.com,
 bkgroup@kmllawgroup.com
 Donald F. Campbell, Jr. on behalf of Creditor Charles H. Tint dcampbell@ghclaw.com,
 4433@notices.nextchapterbk.com
 Harold N. Kaplan on behalf of Creditor NATIONSTAR MORTGAGE LLC hkaplan@rasnj.com,
 informationathnk@aol.com
 Harold N. Kaplan on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
 hkaplan@rasnj.com, informationathnk@aol.com
 Kevin Gordon McDonald on behalf of Creditor Kubota Credit Corporation
 kmcdonald@kmllawgroup.com, bkgroup@kmllawgroup.com
 Laura M. Egerman on behalf of Loss Mitigation Mr. Cooper bkyecf@rasflaw.com,
 bkyecf@rasflaw.com;legerman@rasnj.com
 Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
 bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
 Sindi Mncina on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
 smncina@rascrane.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 12